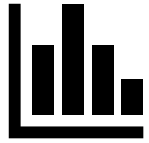# OFFICE OF COURT ADMINISTRATION DATA AND LEGISLATION UPDATES
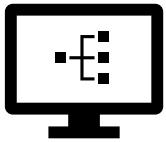
TEXAS OFFICE OF COURT ADMINISTRATION

TEXAS ASSOCIATION OF PRETRIAL SERVICES CONFERENCE

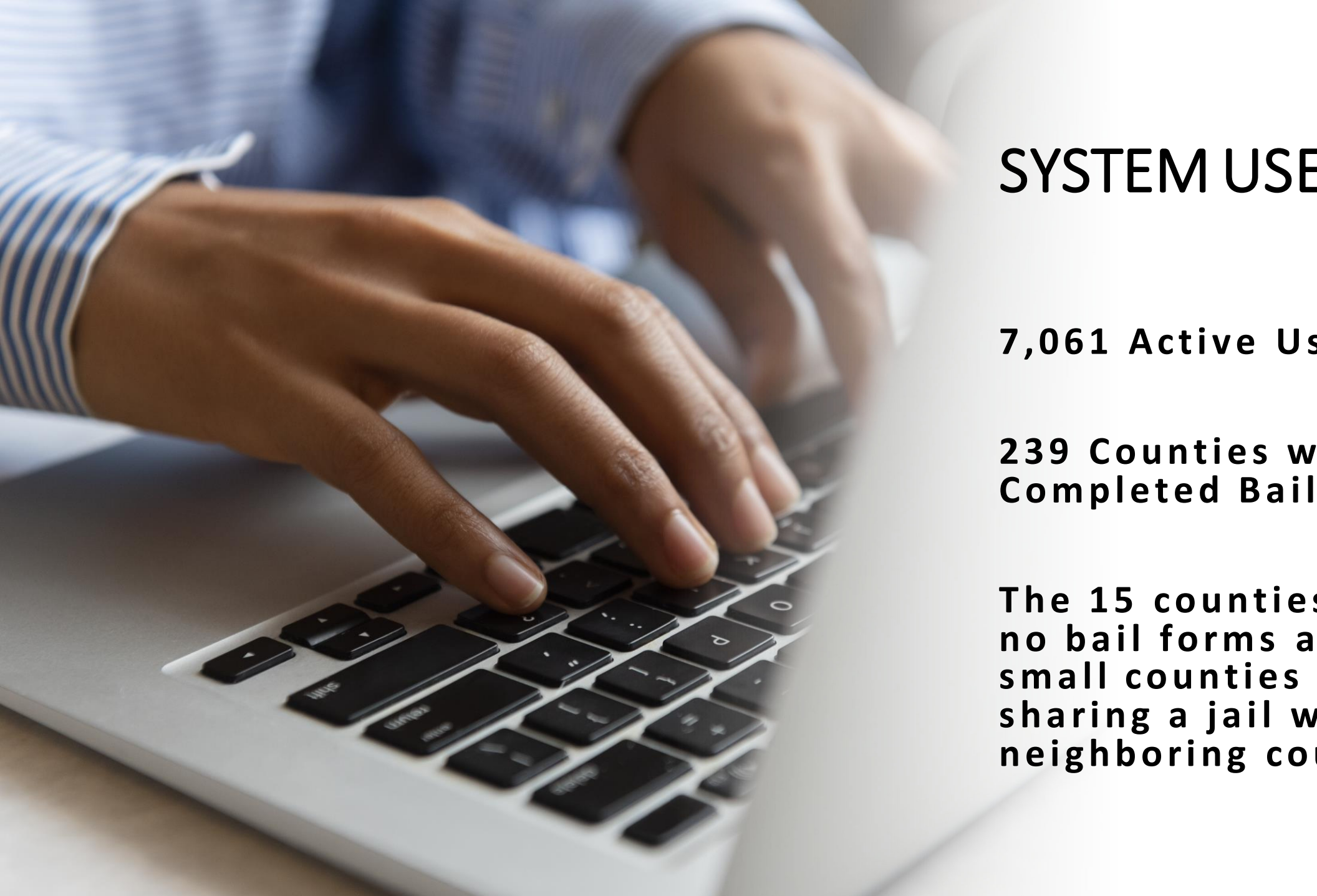APRIL 2024

TOPICS

Bail Data

PSRS Enhancements & API

Legislative Updates

Q&A

SYSTEM USE

7,061 Active Us

**239 Counties w
Completed Bail**

**The 15 counties
no bail forms a
small counties
sharing a jail w
neighboring cou**

BAIL DATA

COMPLETED BAIL FORMS

Since April 1, 2022, every month has had over 40,000 completed bail forms with an average o
The highest months with over 50,000 bail forms have been August 2022, March 2023, and Ju
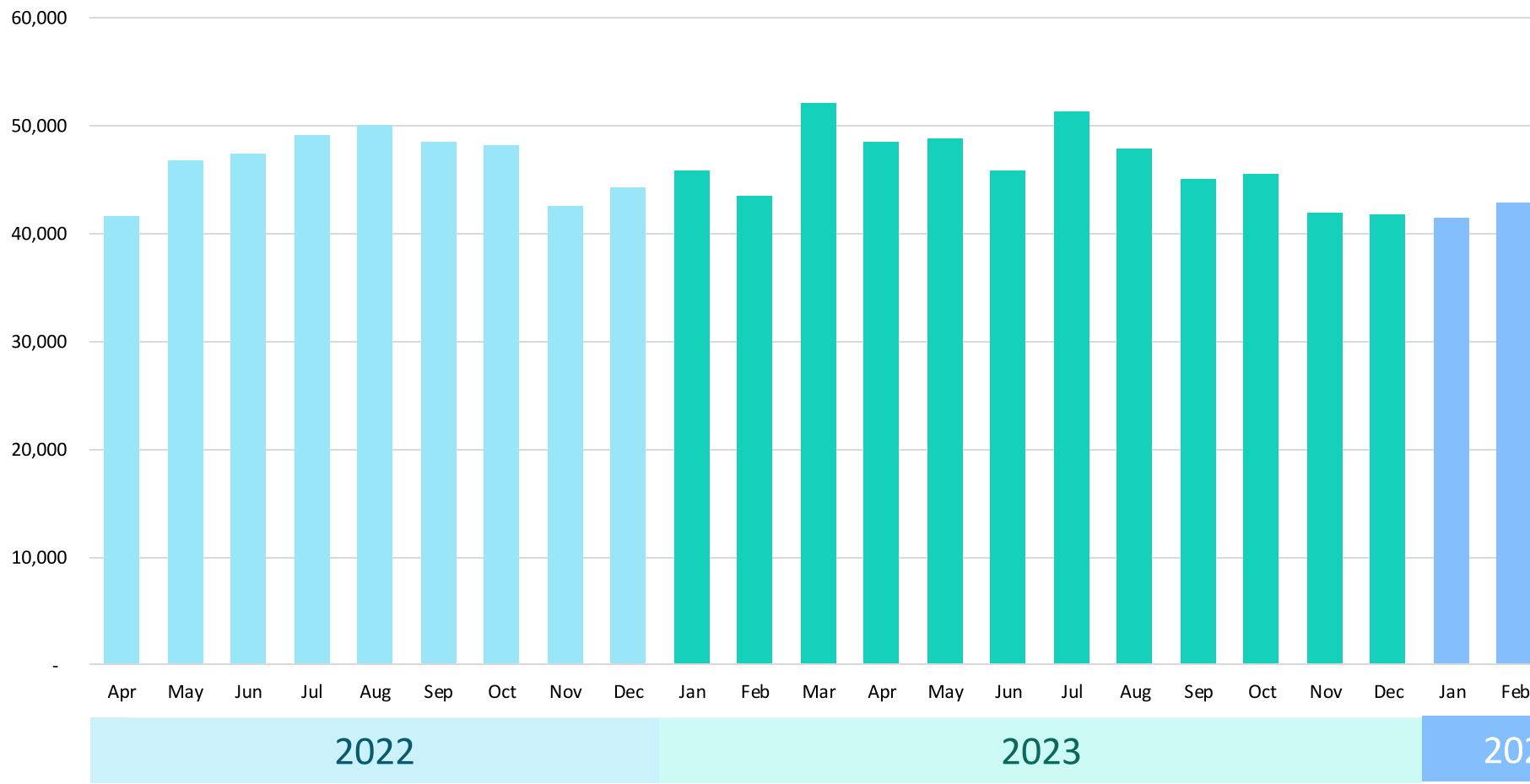
COMPLETED FORMS BY LOCATION IN 2023

Magistrate Courts continue to be the locations with the most completed bail forms.

Location	Percentage
Magistrate Court	
Justice of the Peace	18%
Municipal	17%
County	15%
Sheriff	13%
District	6%
Law Enforcement	1%
Criminal District Court	0.3%
Police Department	0.1%
Pretrial	0.1%
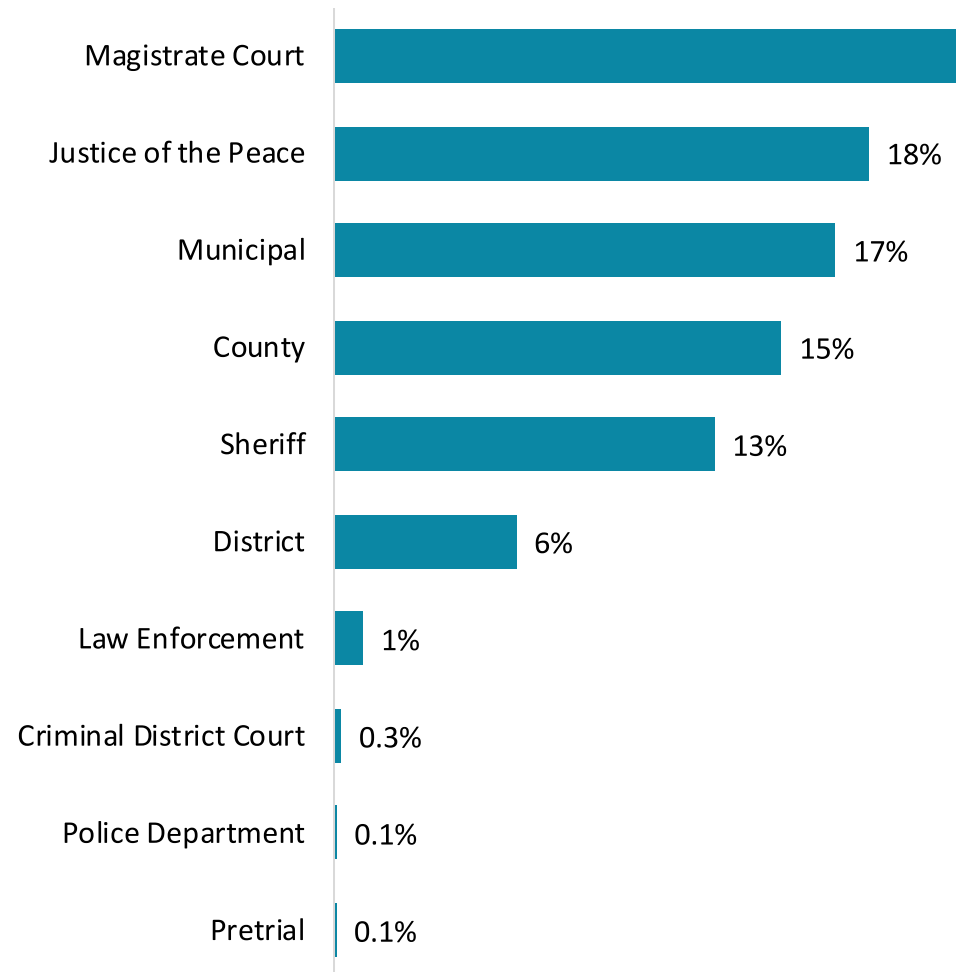
2023 OFFENSE LEVELS

Class A misdemeanors continue to be the most reported offense type every month.
Note that Class C misdemeanors are <u>not</u> required to be reported in the PSRS.

MC	MB	MA	State Jail Felony	F3	F2	F1	Capital Fel
0.2%	25%	27%	17%	18%	10%	4%	0.05%
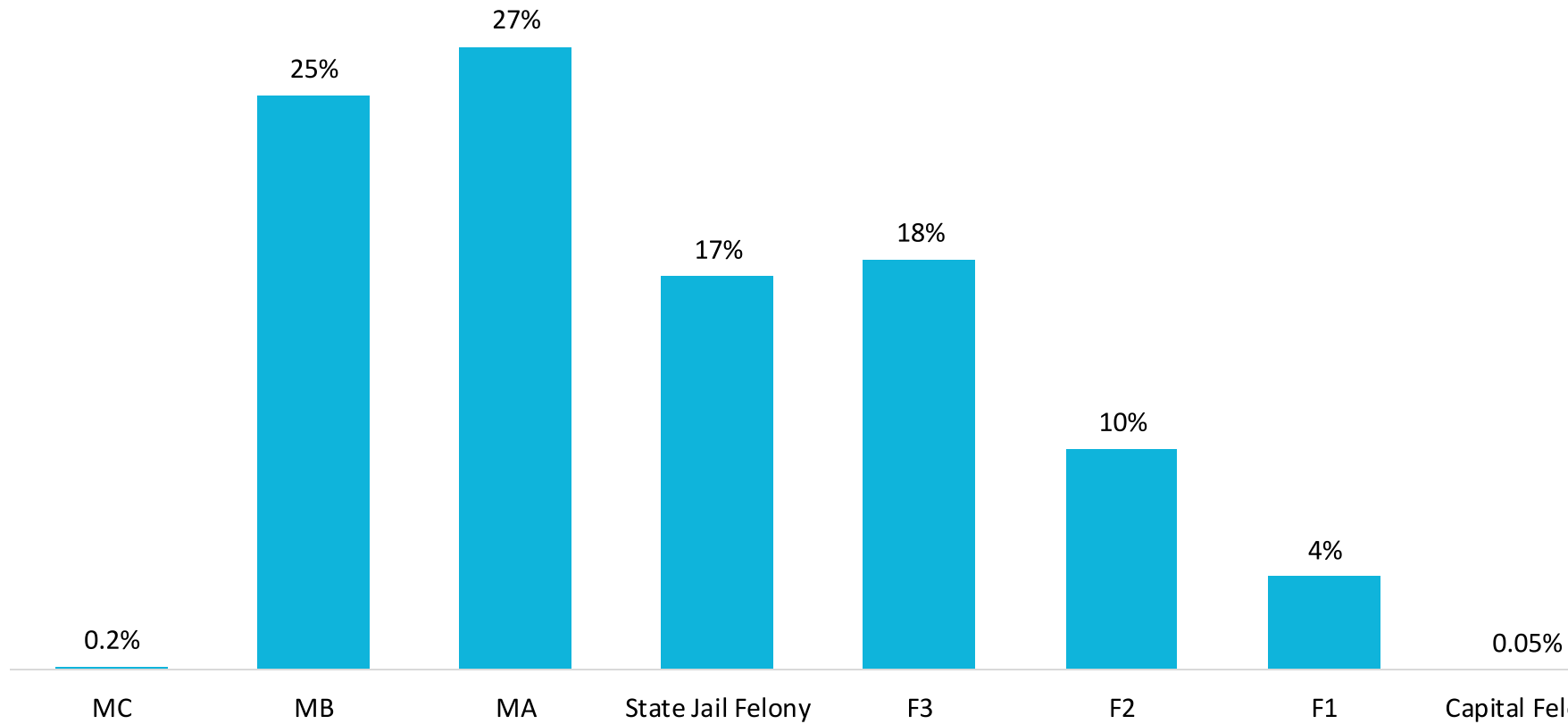
BAIL TYPES 2023

Since the system launch date, Cash/Surety bail types have consistently accounted for the majority of bail types reported.

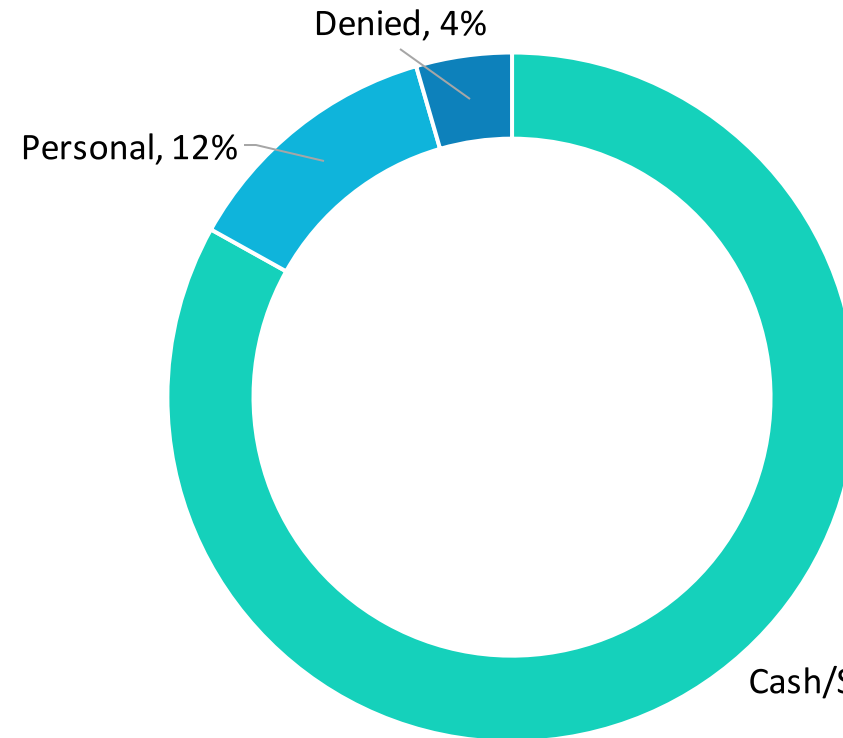In 2023 Cash/Surety accounted for 83% of bail types.

Bail is given by offense in the system so one bail form can have more than one bail type.

Denied, 4%

Personal, 12%

Cash/S

2023 FILED CASES DATA

Failure to Appear continues to be the most reported case type across all three court by Violations of Conditions for Release and Committing an Offense while on Bail or C Supervision.

District
- Failure to Appear: 21,367
- Violating Conditions: 11,669
- Offense: 7,289

SCC
- 35,300
- 6,573
- 3,709

CCC
- 2,556
- 339
- 292
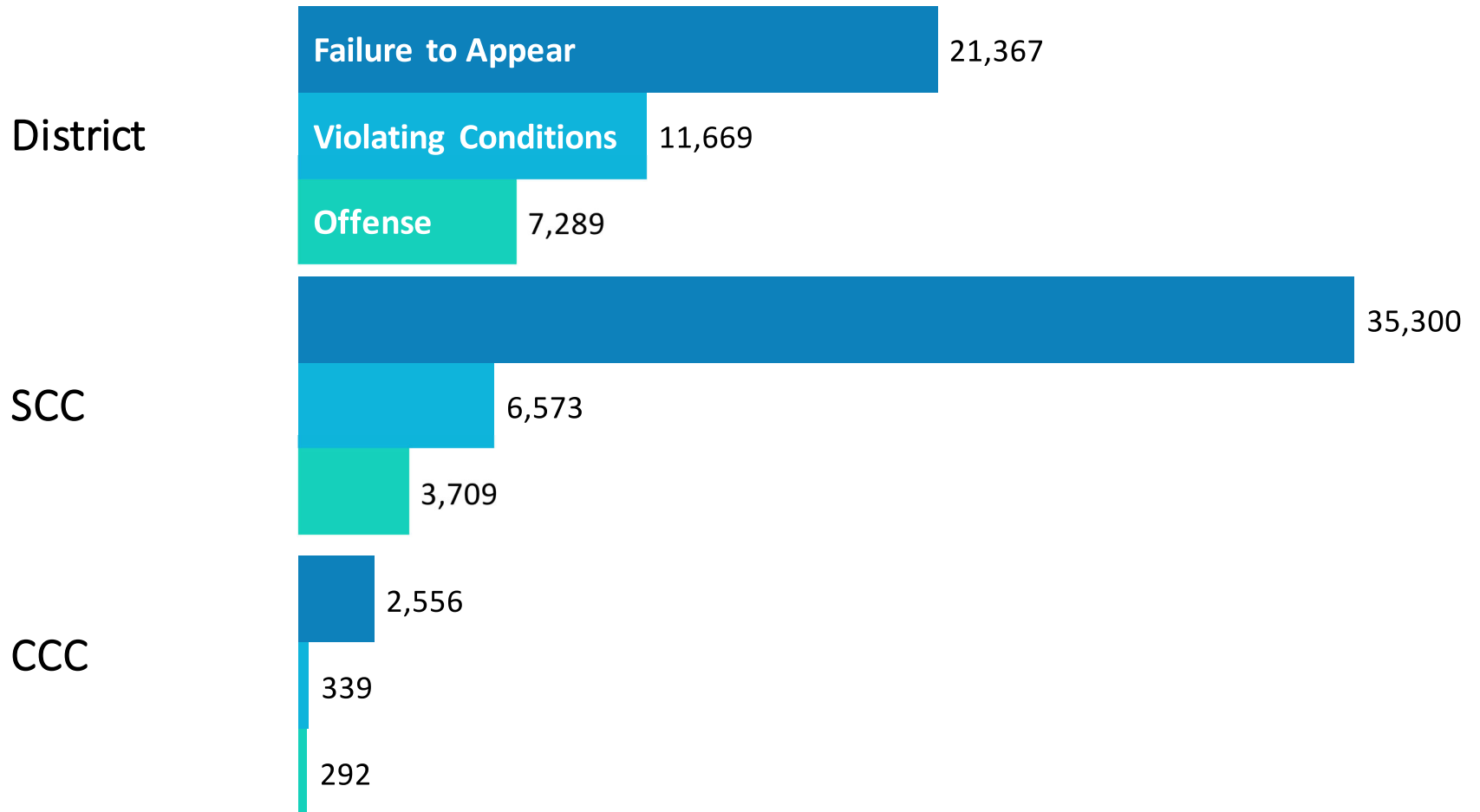
CHARITABLE BAIL ORGANIZATIONS

Number of Defendants by County for Whom Bail was Paid by a Charitable Organization

As of August 2023, only the Texas Organizing Project in Bexar County continued to operate in Texas. The Bail Project was in Harris, Hays, and Travis until the end of July 2023.

Month	Number
J-23	13
F-23	30
M-23	26
A-23	17
M-23	27
J-23	25
J-23	24
A-23	2
S-23	5
O-23	34
N-23	17
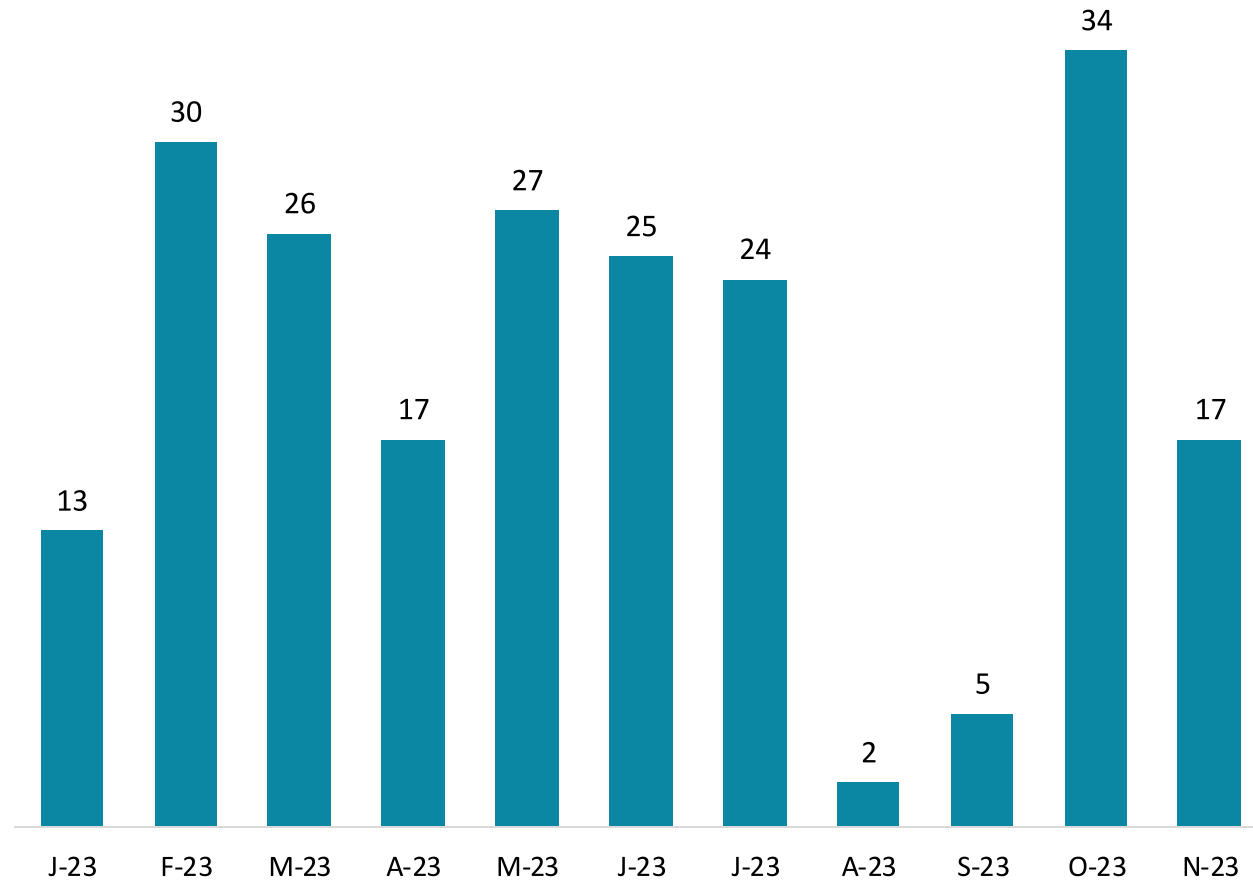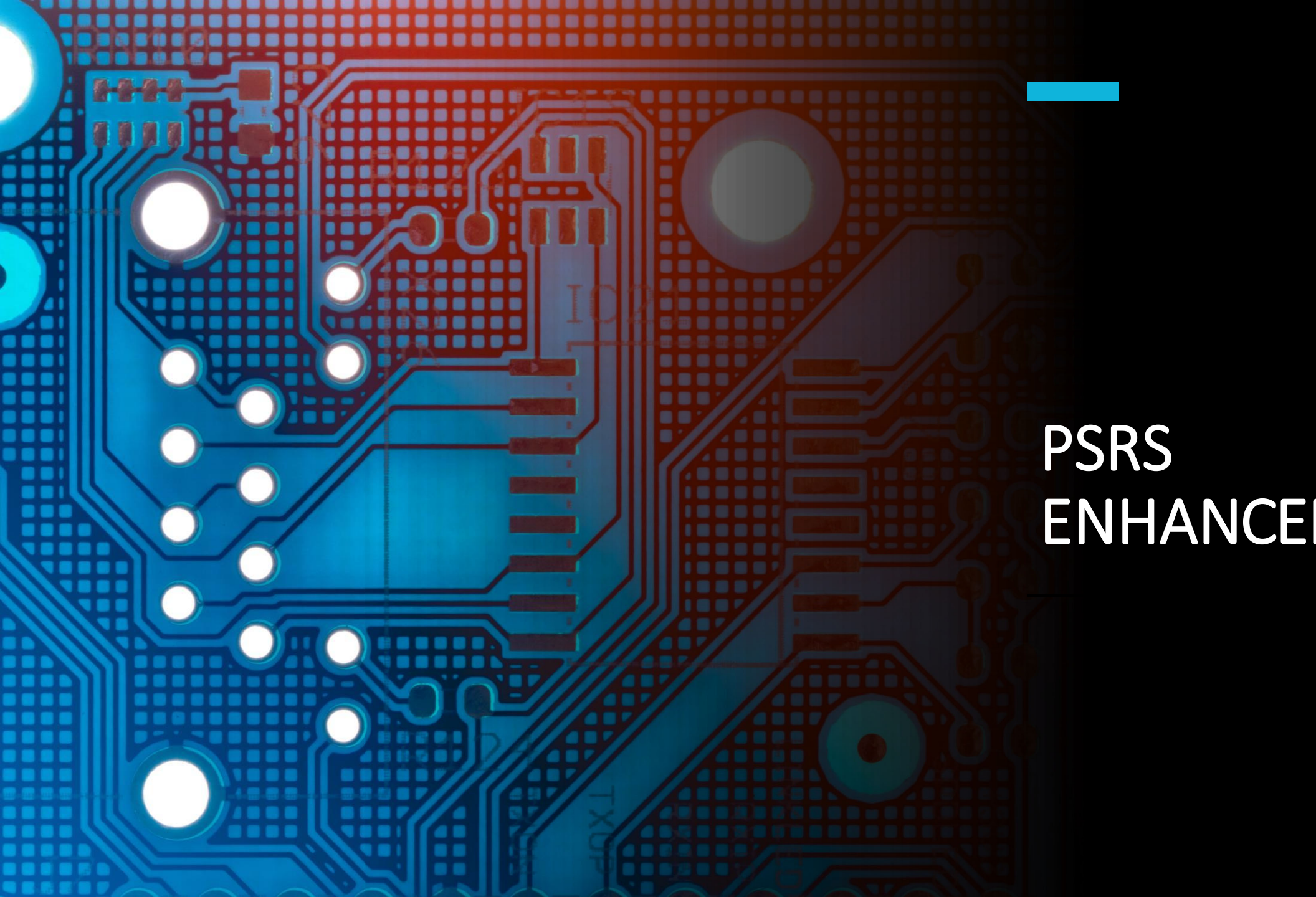
PSRS
ENHANCE

RECENT ENHANCEMENTS

- Check box for juvenile offenders who are certified as adults

- Ability to indicate individual cause/case numbers for each offense

- Ability to indicate if an offen enhancement or mitigation, "Attempted", etc.

- Allow LAUs to select discreti conditions through the Loca Configuration tab

FUTURE ENHANCEMENTS

OCA continues to work with Catalis (formerly AutoMon) since implementation on various system e

Coming Up:

- Date Validation

- Query feature to allow user to run AdHoc reports

- Ability to change cause/case number in a completed bail form

- Mandatory Bond Release check box
    - To indicate 17.151mandatory releases

In Discussion:

- View Only option for users

- Bond revocation check box for qu

- Notice to attorneys

API

Allows Court Management and/or Jail Management systems the ability to send informa

The purpose of the API is to reduce inputting the same data into multiple systems.

Data elements that are used:

1. Adding an arrest via the API - One way - from the Case Management System (CMS) to PSRS
   a. Required fields:
      i. Defendant First and last name
      ii. Defendant DOB
      iii. Arrest date and time
      iv. County of arrest
      v. Offense(s)
      vi. Magistration location
2. Bail Form activities via the API - bi-directional - from the CMS to PSRS or from PSRS to the CMS
   a. Required Fields:
      i. Identifying Defendant information to link the bail form activities to the correct defendant
      ii. Magistration location
      iii. Magistration date and time
      iv. Bail type per offense
      v. Bail amount per offense
      vi. All bail conditions

API NEXT STEPS

API is currently available for use.

Jurisdictions must request access from AutoMon to begin testing.

Courts with vendor hosted systems must reach out to vendor to see if they have started testing or employed the API.

Courts that maintained their own system should reach out to OCA at: bail@txcourts.gov

LEGISLATIVE UPDATES

88TH SESSION OVERVIEW

The 88th Legislative Session was unique:

- $321.3 billion state budget
  - Historic $32.7 billion surplus
  - Focused spending on tax cuts, mental health, and infrastructure
- Significant distinctions on how best to implement policy between the House and Senate
- House impeachment of the Attorney General and the subsequent Senate trial in August 2023

- Judiciary issues:
  - Landmark legislation creating the 15th Court of Appeals and the Business Courts
  - Challenges surrounding bail tools and decisions
  - Judicial pay

CRIMINAL JUSTICE COMMITTEE RECOMMENDATIONS

JUDICIAL WORK PRODUCT SECURITY - PASSED

SB 372 – Sen. Huffman / Rep. Leach

Created a class A misdemeanor for public distribution of draft judicial opinions or work product

YOUTH CLASS C DIVERSION - PASSED

HB 3186 – Rep. Leach / Sen. Zaffirini

Allows youth charged with Class C fine-only offenses to be handled similarly to the way more serious offenses are handled

Provides diversion opportunities

Examples include participating in alcohol awareness programs, tobacco awareness programs and jobs skills training

More than 39,600 non-traffic Class C fine-only offenses filed against juveniles in FY22

BAIL – DID NOT PASS

SJR 44 - Sen. Huffman

Constitutional amendment to implement preventative detention

CIVIL JUSTICE COMMITTEE RECOMMENDATIONS

FAMILY REPRESENTATION IN CHILD PROTECTION - PASSED

SB 2120 – Sen. Zaffirini / Rep. Cook

After the 86th Texas Legislative passed SB 560, TJC directed TIDC to begin data collection on court-appointment systems in child protection cases.
TJC recommended the creation of a Family Protection Legal Representation Program within TIDC.

PUBLIC TRUST AND CONFIDEN
COMMITTEE RECOMMENDATI

CLEAN SLATE – **DID NOT PASS**

HB 1737 – Rep. Leach / Sen. Zaffirini

Automate the record sealing process for people with first-time, non-violent misdemeanors

CIVICS EDUCATION – **DID NOT PASS**

SB 1954 – Sen. Zaffirini

Increases civic training requirements for social studies teachers and curriculum requirements for students

CRIMINAL & CIVIL JUSTICE COMMITTEE RECOMMENDATI

JUVENILE NICS REPORTING - PASSED

SB 728 – Sen. Huffman / Rep. Leach

Clarifies clerk reporting of cases to the National Instant Criminal Background Check System (NICS) for juveniles who meet the definition of a "federal prohibited person" for purchase / possession of a firearm related to MH or ID in certain circumstances.

TJC COMMITTEE RECOMMENDATIONS

**CASE LEVEL DATA - PASSED**

HB 1 - General Appropriations Bill

> Provided $6 million in funding to OCA over the biennium for a system to capture case level data

HB 841 - Coauthored: Rep. Ordaz, Rep. Moody, Rep. Leach / Sen. Middleton

> Requires TJC to collect case level data

HB 1182 - Rep. Harless / Sen. Whitmire

> Requires TJC to collect case level data, certain specific data elements in counties over 1 million in population
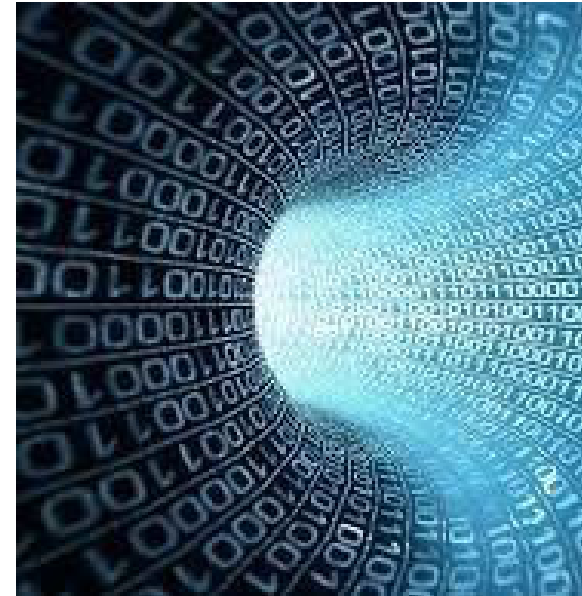
COURT OMNIBUS BILL
HB 3474 – REP. LEACH / SEN. HUG

- District Court Caseload Analysis
  - ➢ OCA must conduct and publish an analysis every 2 years on the 30 most populous counties using case weights and clearance weights to determine judicial officer need.

- Service Credit
  - ➢ Full time Associate Judges of a District Court, District Attorney or County Attorney are now eligible for service credit towards judicial pay tiers.

- New Courts
  - ➢ 13 new District Courts
  - ➢ 3 new County Courts-at-Law
  - ➢ 3 new Probate Courts
  - ➢ 2 CCL courts become Probate Courts

TJC COMMITTEE RECOMMENDATIONS

Jury Service

- Increases first day juror compensation from $6 to $20 and from $40 to $58 for day two and thereafter

- The state increases juror reimbursement to the county from $0 to $14 day one and from $34 to $52 for day two and thereafter

- Raises petit juror permanent exemption age from 70 to 75

OCA PROJECT HIGHLIGHTS

SB 48 – Sen. Zaffirini / Rep. Leach
    Protective Order form standardization
    Study on the effectiveness of Protective Orders

Workload Analysis of Trial Court Personnel
    Study using the weighted caseload analysis of court personnel
    $200k

HB 4293 – Rep. Hinojosa / Sen. Zaffirini
    OCA develop a court reminder program that would send a text
    message to notify criminal defendants of scheduled court
    appearances
    $2.2 million

TJC CHARGES FOR 89$^{\text{TH}}$ LEGISLATIVE SESSION

- Study the use of Artificial Intelligence in Texas Courts across the board—management, procedure, evidence, filings, security, etc.—and recommend any necessary reforms.

- Study ways to improve court efficiency and recommend any necessary reforms.

- Study ways to simplify the jurisdiction of the courts of Texas and to make jurisdiction unifo[...] level and across the State.

- Study whether extending judicial terms from 4 to 6 years for trial courts and from 6 to 8 ye[...] appellate courts would materially improve the courts' ability to discharge their judicial fun[...] provide greater stability in the judiciary, and would allow greater participation by voters b[...] decrease in the number of judicial positions up for election at any given time.

TJC CHARGES FOR 89TH LEGISLATIVE SESSION

- Continue to study the landscape of the Texas Civil Justice System a recommend any other necessary or desirable reforms to improve a justice in Texas Courts.

- Study ways to improve court and personal security for judges and staff and recommend any necessary reforms.

- Monitor implementation of the Texas Business Court.

- Continue to evaluate and monitor Texas' pretrial bail system for improvement and recor any needed statutory and non-statutory changes.

- Continue to work on guiding the revisions of the court activity reporting requirements to case-level statistical data.

- Study ways to improve public access to all court filings, docket entries, and other inform comparable to PACER.

TJC CHARGES FOR 89TH LEGISLATIVE SESSION

- Study the feasibility of and make recommendations regarding alternative methods for submitting the clerk's record on appeal.

- Study ways to improve access to courts and recommend any necessary reforms.

- Review comprehensive all-hazard emergency management plans for the judiciary and recommend any necessary reforms.

- Study judicial profession shortages and recommend methods to increase recruitment and any necessary reforms.

- Continue to monitor public trust and confidence in the Texas Judiciary and recommend any necessary reforms to increase public support and respect.

- Monitor the Judiciary's role and work with Operation Lone Star.

QUESTIONS

BAIL@TXCOURTS.GOV

WWW.TXCOURTS.GOV/BAIL

Thank you!